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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/457,669	12/09/1999	TETSURO MOTOYAMA	5244-0117-2X	7939

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EXAMINER

PRIETO, BEATRIZ

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 05/23/2002

8

Please find below and/or attached an Office communication concerning this application or proceeding.

46

Office Action Summary

Application No.

09/457,669

Applicant(s)

MOTOYAMA, TETSURO

Examiner

B. PRIETO

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 52-124 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 52-124 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 4
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5 and 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Drawings have been objected to by the Draftsperson under 37 CFR 1.84 or 1.152, correction noted on PTO-948 is required. A proposed drawing correction or corrected drawings are required in reply to this office action to avoid abandonment of the application. The objection to the drawings are no longer held in abeyance. If reply does not include corrected drawings, proposed corrections, or reply to the drawings requirement, the reply would be held non-responsive.

Claim Rejections - 35 USC § 103

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 77 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In this case, claim limitation recites, storing, internally, status information of the business office device, it is unclear from the method claim where exactly is "internally".

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frantz et. al. (Frantz) U.S. Patent No. 6,003,070.

Regarding claim 52, Frantz teaches features of the invention substantially as claimed, teaching;
an equipment (20) (business office devices) (col 2/lines 15-30) which is connected to monitoring device (terminal), col 4/lines 38-47, terminal col 2/lines 32-50);

storing status information of the business office device (col 6/lines 1-11, log (32) internally at the business office device);

an email interface (10) for transmitting an email (col 4/lines 32-42) containing status information (col 8/lines 1-7) to the monitoring device (col 4/lines 56-64, status and/or error messages, col 5/lines 3-13, 32-39, history information, col 5/lines 28-31);

however Frantz's equipment to be monitored by a monitoring device having claimed storing and transmitting functions are not denoted "business office device";

It would have been obvious to one ordinary skilled in the art at the time the invention was made to implement Frantz's teaching to render claimed invention, where Frantz explicitly teaches that said equipment may include any type of equipment that requires monitoring such as photocopiers, computer and printer, i.e. business office devices, motivation would be implement an interface with e-mail and terminal emulation capabilities configured to transmit status information selectively, at predetermined time, or event to multiple locations, as taught by Frantz.

Regarding claim 53, a direct connection mode-based interface (col 1/lines 42-45: interface linked to a telephone system through a modem, col 2/lines 32-45: e-mail interface and terminal-interface capabilities) for transmitting status information portion (messages associated with an alert mode and messages associated with a maintenance/repair mode or other status information, col 5/lines 3-13).

Regarding claim 54, the email interface each can transmit one of the status information portions (routine maintenance, col 5/lines 3-13) and direct connection-mode interface can transmit one of the status information portions (col 6/lines 1-20, critical status information).

6. Claims 55-124 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frantz et. al. (Frantz) U.S. Patent No. 6,003,070 in view of Tarr et. al. (Tarr) U.S. Patent No. 5,184,179.

Regarding claim 55, however the above teachings do not explicitly teach, wherein the business office device transmits the first portion of the status information to the monitoring device at a predetermined interval;

Tarr teaches a business office device (e.g. printer) transmit status information to the monitoring device at a predetermined time interval (col 3/lines 33-40, col 5/lines 2-30).

It would have been obvious to one ordinary skilled in the art at the time the invention was made to include means for the business office device transmits the status information to the monitoring device at a predetermined interval as taught by Tarr, into Frantz system enabling the transmission of a first portion of status information, motivation would be improve existing monitoring system by implementing means for automatically notifying off-site parties at appropriate times of status of monitoring devices, as taught by Tarr.

Regarding claim 56, event-driven transmission (in response to the receipt of a status message containing an error message, (Frantz: col 3/lines 21-27, Tarr: col 6/lines 55-col 7/lines 3).

Regarding claims 57-58, persistent memory for storing an assigned identification number(name) of the business office device (Tarr: col 5/lines 37-49, col 10/lines 61-67) and communication to monitoring device from the business office device enable monitoring device to identify transmitting business office device (Tarr: col 5/lines 37-40).

Regarding claim 59-60, persistent memory storing the telephone number (address) of the business office device and communicating said address to the monitoring device (Tarr: col 5/lines 30-40).

Regarding claims 61-62, status information is transmitted by the email interface (col 5/lines 3-13) transmitting status information as an email message, monitoring device polls business office device for status information (Tarr: col 6/lines 27-38).

Regarding claims 63-64, business office device is a printer (Tarr; col 2/lines 17-18), persistent memory storing option configuration (Frantz; col 3/lines 3-13).

Regarding claims 65-66, persistent memory stores a model and serial number (Tarr: col 5/lines 30-47).

Regarding claim 67, persistent memory stores characteristics of said business office device, which do not change over a life of said business office device (e.g. serial number discussed above).

Regarding claim 68, dynamic memory stores dynamic data (Tarr: col 3/lines 61-col 4/line 3).

Regarding claims 69, 71, 72, 73 and 75, dynamic memory stores an indication of a paper tray present in the business office device and indication of a status of paper in a paper tray present in the business office device (Tarr: col 3/lines 16-31, col 5/lines 60-col 6/line 2), an indication of consumable goods (e.g. oil), amount of toner, number of prints in the business office device (Tarr: col 5/lines 60-col 6/line 2).

Regarding claims 70 and 74, the above teachings however do not explicitly teach for storing in a dynamic memory an indication of a voltage used (Tarr: col 8/lines 56-67) and an indication of a sensitivity of photoreceptor in the business office device (Tarr: col 5/lines 60-col 3/line 2).

Regarding claim 76, substantially the same as claim 52 and further the business office device and monitoring device discussed above are comprised in a business system (Tarr: col 10/lines 5-18) and said monitoring device is monitoring from a remote location (col 3/lines 10-39).

Regarding claim 77, as discussed on claims 52 and 76, the monitoring device monitors the business office device from a remote location (Frantz, col 3/line 10-38), storing within the system, status information of the business office device (Tarr: col 4/lines 60-col 5/line 8, diagnostic status data stored in RAM 28, col 7/lines 66-col 8/line 6, storing status information col 10/lines 53-66).

Regarding claim 78, establish a direct connection mode via terminal-based interface (Frantz: col 1/lines 42-45: interface linked to a telephone system from the monitored business office device to the monitoring device through a modem, col 2/lines 32-45: dual capability terminal-interface)

for transmitting status information portion across said link (Frantz: messages associated with an alert mode and messages associated with a maintenance/repair mode or other status information, col 5/lines 3-13).

Regarding claim 79, first and second portion of status information are stored in the same (one) memory (Tarr: col 4/lines 60-col 5/line 8, diagnostic status data stored in RAM 28, col 7/lines 66-col 8/line 6, storing status information col 10/lines 53-66).

Regarding claims 80-100 are the monitoring method associated with the business office device discussed on claim, and substantially, same rationale is applicable.

Regarding claims 101-124, this claim is the computer program product, comprising: a computer storage medium and a computer program code mechanism embedded in the computer storage medium for monitoring a business office device, the computer program code mechanism comprising the computer code configured to perform the method discussed on claims 77-100, same rationale is applicable.

Related U.S. Patents:

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure; pertinence is presented in accordance with to MPEP§ 707.05. Copies of documents cited will be provided as set forth in MPEP§ 707.05(a):

U.S. Patent No. 5,715,393, issue date 03-1998

Naugle teaches communication between a monitored business office device (e.g. a computer) and monitoring device comprising an email message, said message including status information of the monitored device (col 2/lines 41-col 3/line 20, status information col 4/lines 21-67).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (703) 305-0750. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner

by telephone are unsuccessful, the Examiner's Supervisor, Mark H. Rinehart can be reached on (703) 305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6606. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for Official communications intended for entry)

Or:

(703) 746-7240 (for Non-Official or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist), further ensuring that a receipt is provided stamped "TC 2100".



B. Prieto

Patent Examiner

May 18, 2002